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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,523	01/18/2001	Kiyoshi Satoh	ASMJP.055AUS	6412
20995	7590 05/29/2003			
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2040 MAIN S FOURTEENT	'H FLOOR	ZERVIGON, RUDY		
IRVINE, CA	92614		ART UNIT	PAPER NUMBER
			1763	8
			DATE MAILED: 05/29/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examin Art Unit Rudy Zervigon 1763		Application No.	Applicant(s)			
Rudy Zervigion 1783	Office A 41 and Commence and	09/764,523	SATOH ET AL.			
- The MAILING DATE of this communication appears on the cover ship of the twith the correspondence address — Period for Repty A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Exercised in the may be available under be provisions of 3 CFR 1.13(a), in no event, however, may a reply be timely filled attes (St. (b) MONTHS from the mailing date of this communication. Exercised from any be available under be provisioned of 3 CFR 1.13(a), in no event, however, may a reply be timely filled attes (St. (b) MONTHS from the mailing date of this communication. **THE MAILING DATE of the soft o	Office Action Summary	Examin r	Art Unit			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MALINO DATE OF THIS COMMUNICATION. - Extensions of laren may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a rapty be timely filled - Extensions of laren may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a rapty be timely filled - Extensions of laren may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a rapty be timely filled - If the period for reply is available under the provisions of 37 CFR 1.136(a). In no event, however, may a rapty be timely filled - If the period for reply is available under the provisions of 37 CFR 1.136(a). In or event, however, may a rapty be timely filled. - If the period for reply is available under the fill may be sent the mail of the despire state (a) MONTHS from the mailing date of this communication, even if timely filed, may reduce any example plant term adjustment. See 37 CFR 1.704(b). - Status 1) Responsive to communication(s) filled on 14 March 2003. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Sclaim(s) 33-45 isfare pending in the application. 4a) Of the above claim(s) isfare villed to. 3) Sclaim(s) 33-45 are subject to restriction and/or election requirement. Application Papers 9) The proposed drawing correction filled on isfare: a) sold examiner. Application Papers 9) The drawing(s) filled on isfare: a) sold expended or b) objected to by the Examiner. Application Papers 1 Faporoved, corrected drawings are required in reply to this Office action. 12) The proposed drawing correction filled on isfare: a) sold expended to by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) Acknowledgm						
THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 3 CPR 1.15(g). In no event, however, may a reply be timely filed after SIX (8) MONTHS from the mailing date of this communication. I the period crays specified shows be sub that him (20) days, a require that the control of the communication of the period of the pe						
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5) Information disclosure Statement(s) (PTO-1449) Paper No(s) 6) Other:	1) Notice of References Cited (PTO-892)	5) Notice of Informal I				

Application/Control Number: 09/764,523

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DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - Claims 41-44, drawn to a chemical vapor deposition device, classified in class
 118, subclass 723ER.
 - II. Claims 33-40, and 45, drawn to a method of cleaning a chemical vapor deposition device, classified in class 134, subclass 1.1.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions I and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the apparatus as claimed can be used to practice another and materially different process, for example, an etching process.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
- 5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the

Art Unit: 1763

currently named inventors is no longer an inventor of at least one claim remaining in the

application. Any amendment of inventorship must be accompanied by a request under 37 CFR

1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Examiner Rudy Zervigon whose telephone number is (703) 305-

1351. The examiner can normally be reached on a Monday through Thursday schedule from 8am

through 7pm. The official after final fax phone number for the 1763 art unit is (703) 872-9311.

The official before final fax phone number for the 1763 art unit is (703) 872-9310. Any Inquiry

of a general nature or relating to the status of this application or proceeding should be directed to

the Chemical and Materials Engineering art unit receptionist at (703) 308-0661. If the examiner

can not be reached please contact the examiner's supervisor, Gregory L. Mills, at (703) 308-

1633.

JEFFRIE R. LUND PRIMARY EXAMINER

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